

REMARKS

Claims 1 and 4-8 are currently pending in the application. Claims 1, 4, and 5 have been amended. Claim 9 has been cancelled. Support for the amended claims can be located at page 15, line 33 to page 17, line 6 of the specification.

REJECTIONS under 35 U.S.C. § 103

Claims 1 and 8-9 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,073,112 (Geerlings).

Hairstyle generally refers to a style made by using hair from a head. In order to encourage purchasing, a hairstyle that can be realized by using hair growing from the head is suggested. For example, even if a long hair permanent wave is suggested to a bald customer, for example, the suggestion is not effective in encouraging a customer, as making the long hair permanent wave requires fifty centimeters of hair after one month.

Although the hairstyle can be regarded as a part of a commercial product, the hairstyle is not defined if the style is not realized by using the hair growing from the head. That is, the hairstyle is different from a normal commercial product because the feature "hair length" is provided in the suggestion of the hairstyle. When the hairstyle is suggested, the suggestion considering the above-identified feature is made to encourage purchasing.

The "purchase behavior" or "future shopping behavior" referenced in the cited art simply means future "estimation." The cited art fails to disclose any details regarding the feature. Hence, the cited art is different from the present invention, as in the present invention, the above-identified feature is provided to the hairstyle and suggestion, thereby encouraging the customer to purchase.

"Hairstyle" includes not only the hair length but also the diameter of the hair and a type of hair, as explained in the specification in the language of currently amended claim 1, for example. For instance, a permanent wave may be suggested depending on the type of the hair.

The above-discussed argument is based on the description at page 16, lines 20-34 and "deriving an expected date of visit of the customer" and "producing prior to the expected date a direct mail containing suggestions of the hairstyles made in the step of making the hairstyle that can be applied to customer when said expected date of visit of the customer is a predetermined period ahead," of claim 1.

The diameter of the hair is not static "customer information." The diameter of the hair

changes with time. The present invention includes means for corresponding to dynamic change of hair length," as discussed at page 15, line 33 through page 16, line 5. In contrast, in the cited art, only static information is stored in the customer information. The cited art does not discuss means for corresponding to dynamic change of "hair length."

The hairstyle is made by the hair of the customer. As a result, when the customer studies a future hairstyle, the customer uses his or her imagination. For example, the customer wonders, "if the hairstyle is applied to me, does it look nice or not?" In the present invention, a picture formed by combining the hairstyles extracted from the latest hairstyle information and the hairstyle acquired upon the previous visit is sent as a direct mail so that imagination of the customer is supplemented. The present invention differs from the cited art, as in the present invention, the combination of the image is added to the direct mail forming means so that effectiveness of the suggestion is improved when the customer is invited. See specification of the present invention, page 16, line 35 to page 17, line 6. In light of the foregoing, claims 1, 4-7, and 8 are patentable over the cited combination of references.

It is submitted that the claims satisfy the requirements of 35 U.S.C. §103. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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